



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

DOD: 05/05/09		PAT MIRANDA , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 01/28/13</u> As of 02/07/13, nothing further has been filed in this matter and the following needs/problems/comments remain: <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i> with proof of service by mail at least 15 days before the hearing on: <ul style="list-style-type: none"> - Kelli McCaslin (daughter) - Carroll (Bud) McCaslin (son) - Michael McCaslin (son) 2. Need copies of bank statements pursuant to Probate code § 2620(c)(2). 3. Need original care facility billing statements pursuant to Probate Code § 2620(c)(5). Note: Several of the monthly care facility statements were filed in connection with Petitioner's first account on 08/17/12; however, several months during this accounting period are missing. 4. Need Order. Note: A status hearing will be set as follows: <ul style="list-style-type: none"> - Friday, April, 26, 2013 at 9:00 am in Dept. 303 for filing of the Final Account. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
		Account period: 01/23/07 – 05/05/09	
		Accounting - \$39,167.44	
		Beginning POH - \$46.35	
		Ending POH - \$1,440.97	
Cont. from 012813			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Conservator - waived	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Attorney - waived	
<input type="checkbox"/>	Notice of Hrg	Petitioner prays for an Order:	
<input type="checkbox"/>	Aff.Mail	1. Approving, allowing and settling the second account.	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	2620(c)	x	
<input type="checkbox"/>	Order	x	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

**Seventh and Final Account of Conservator in Re: Conservatorship Estate and
Petition for Its Settlement with Accompanying Declaration of John K. Ormond Re:
Attorney's Fees and Costs**

DOD: 3-29-12		REBECCA LEWIS , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 1-24-13. As of 2-7-13, nothing further has been filed. The following issues remain:</u> <u>Note: The Conservatee's spouse John MacIsaac was appointed Executor of the probate estate in 12CEPR00945 on 12-3-12</u> 1. Need proof of service of <u>Notice of Hearing</u> on all relatives pursuant to Probate Code §§ 1211, 1460(b)(6). <u>Note: A proof of service attached to the petition indicates service on certain agencies as required and the Petitioner, but is not on the mandatory Judicial Council form and does not include the Conservatee's spouse and children (and other relatives to the 2nd degree) as required by the code referenced above.</u> <u>Note: Minute Order 1-24-13 indicates that Counsel believes notice is not required with reference to Probate Code §1860. However, this section is not applicable to a petition to terminate a conservatorship estate presented pursuant to §2630. Notice is required.</u> 2. Probate Code §2620(b) states the final court accounting of the conservator following the death of the Conservatee shall include an accounting for the period that ended on the date of death and a separate accounting for the subsequent period. This account covers one period, including the date of death. 3. The proposed order includes a blank for the Court to write in an amount approved for expenditures by the Conservator; however, the petition does not appear to include this request. Need clarification, itemization. 4. The proposed order does not include distribution to the executor of the estate as requested.
		Account period: 11-1-11 through 10-31-12	
Cont. from 012413		Accounting: \$765,025.01 Beginning POH: \$723,534.39 Ending POH: \$765,025.01 (\$309,367.13 cash)	
<input type="checkbox"/>	Aff.Sub.Wit.	Conservator: \$2,000.00	
<input checked="" type="checkbox"/>	Verified	Attorney: \$5,160.00 (12.9 hours @ \$400/hr per declarations)	
<input type="checkbox"/>	Inventory	Petitioner requests an order which authorizes her to transfer the above-referenced accounts and rights to the decedent's estate pending in this Court, Estate of Lori Lavonne MacIsaac 12CEPR00945. Petitioner prays for an order: 1. That notice of hearing of this account be given as required by law; 2. Approving, allowing and settling the attached account; 3. Authorizing the conservator's and attorney's fees and commissions; and 4. Such other orders and relief as the Court considers proper, including an order requiring the Conservator to transfer the above-referenced accounts and rights to the decedent's estate.	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	2620		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 2-7-13	
		Updates:	
		Recommendation:	
		File 2 - MacIsaac	

(1) Twenty-Second Account Current and Report of Conservator of Estate and (2) Petition for Its Settlement and for (3) Allowance of Fees to Conservator of Estate and Conservator's Attorneys (Prob. C. 2620, 2623, 2640, 2643)

3

Petitioner states:

- Petitioner sought instructions from this Court as to Petitioner's obligation to pay charges incurred by the Conservatee, and per *Order Instructing Conservator Regarding Debts Incurred by Conservatee* filed 8/3/2010, Petitioner was instructed not to pay and has not paid any charges incurred by the Conservatee based upon determination that such charges were not reasonable or for necessities; Petitioner has also per the Court's order notified credit reporting agencies that Conservatee is under a conservatorship to help prevent future credit being extended to Conservatee without Petitioner's knowledge and approval; Petitioner has paid Conservatee's living expenses, upkeep and maintaining of Conservatee's residence and vehicle, and has paid a weekly allowance to the Conservatee [totaling ~\$64,170.00 during this account period];
- Pursuant to Court order, Petitioner has been authorized to pay itself on account of its fees **\$600.00** per month; Petitioner has received a total of **\$14,400.00** on account during the two-year period of this account, leaving a balance of **\$17,935.47** as now unpaid and which sum should now be authorized to Petitioner; *Declaration of Elisabeth Lambert in Support of Conservator's Fee* states special services have been provided by Petitioner in this case, including assistance to the Conservatee in matters of routine maintenance to his home that would be handled by most homeowners themselves, that require attention and services from Petitioner's real estate department due to Conservatee's disabilities and limitations; in addition, during this account period Conservatee expressed desire to marry **KATHRYN WASHBURN**, which required Petitioner to obtain court permission for the Conservatee to marry, and Petitioner hired and coordinated several attorneys involved in preparation of the petition and the prenuptial agreement; Petitioner has had to schedule many meetings with Conservatee and his new wife subsequent to their marriage [in ~10/2011] to educate them regarding appropriate expenses, budgeting and conservation of the estate for Conservatee's care and support; further, the Conservator of the Person does not appear to be active in Conservatee's life and the Conservatee having a spouse has not reduced the need for Petitioner's weekly involvement on mundane issues that affect the Conservatee, but in fact the addition of a spouse has required increased diligence by Petitioner to monitor impulse spending, utility usage, etc.; Ms. Lambert on behalf of Wells Fargo spends significant time supervising and providing financial education to address the myriad weekly problems the Conservatee brings to Wells Fargo as Conservator; significantly more time and attention are required to oversee Conservatee and his estate than is provided to irrevocable trusts with similar assets; the compensation required by Petitioner is fair and reasonable compensation for the services and benefits provided to Conservatee under the circumstances of this case.

Petitioner requests as Conservator of the Estate:

1. **Authority to continue to pay itself \$600.00 per month on account of services until further Court order**, with the final amount of compensation to be paid for the Conservator's services for periods following the end of the 22nd Account to be later determined by the Court; and
2. **That the fee schedule it applies to similar accounts be allowed for the management of this conservatorship at the rate of 1.35% of the assets under management**, which Petitioner states is substantially lower than the customary charge of **1.5%** paid by many of the Petitioner's trust clients for related management services; Petitioner states compensation has been previously allowed in the present Conservatee's estate based upon the **1.35%** of the value of assets under management.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

2. *Schedule C, Disbursements* shows payment on 2/9/2011 of **\$37,570.96** for purchase of a 2011 Chevrolet Silverado, which is not referenced or explained in the *Petition*, neither as a court-authorized purchase nor otherwise. In addition, an entry for payment on 3/22/2011 of **\$4,268.98** for Allied Insurance Auto Policy is included, and other Auto Policy and vehicle-related expenses (i.e. DMV) are included totaling **~\$2,138.64**, which entries are not explained as to the vehicles associated with the payments. Further, *Schedule E, Non-Cash Assets at End of Account Period* lists the 2011 Chevrolet Silverado with a carry value of **\$1.00**. Court may require additional information.
3. Recreational vehicle purchase of **\$24,335.73** on 12/22/2011 for a 2008 Weekend Warrior was authorized by Court per *Order Instructing Conservator Regarding Purchase of Recreational Vehicle* filed 12/1/2011, allowing expenditure from the conservatorship estate of up to **\$25,000.00** for purchase of a travel trailer or toy hauler; *Schedule C, Disbursements* entry dated 3/12/2012 of **\$1,379.91** for modifications to the vehicle as part of the purchase per Court order brings the total purchase to **\$25,715.64**. *Schedule E, Non-Cash Assets at End of Account Period* does not but should include the 2008 Weekend Warrior as personal property on hand of the conservatorship estate (or, *Petition* should include an explanation as to the reasons it is not accounted for as conservatorship estate property on hand.) Additionally, as a potentially related issue, *Schedule D, Losses on Sales* lists a 2004 Chevrolet Trailblazer with a loss of **\$37,425.00**, which is not referenced or explained in the *Petition* (perhaps this constitutes a trade-in for the 2008 vehicle purchase; however, that information is not provided in the *Petition*.)

Note re Fiduciary Fee Rate: Traditionally, this Court has authorized a fiduciary fee rate of **.75%** of the value of the assets. *Judgment Settling Twentieth Account and Report of Conservator* filed 4/15/2009 authorized Petitioner's requested fees "without setting a precedent as to percentage rate used to calculate fee request." Petitioner's request for **1.35%** of the value of the assets appears reasonable based upon the specific circumstances of this case, as evidenced by the Court's orders allowing that rate for the previous accountings.

Notes re Attorney Fees Paid During Account Period:

- Attorney Marvin T. Helon, for the Conservator of the Estate, was paid fees and costs of **\$7,465.00** per *Judgment Settling Twenty-First Account and report of Conservator of the Estate* filed 6/1/2011, and was paid fees and costs of **\$2,746.50** per *Order Instructing Conservator for Substituted Judgment Regarding Premarital Agreement* filed 9/21/2011.
- Attorney Gary Bagdasarian, court-appointed to represent the Conservatee on 8/11/2010, was paid fees of **\$19,000.00** for the period 8/11/2010 to 10/31/2011 per *Order Approving Compensation of Attorney for Representation of Conservatee* filed 12/14/2011; and was paid fees of **\$3,825.00** for the period 11/1/2011 to 5/10/2012 per *Order Approving Compensation for Representation of Conservatee* filed 6/26/2012.
- Attorney Gary L. Motsenbocker, hired by Co-Conservators of the Person, was approved fees and costs of **\$3,545.00** per *Order Approving Petition for Approval Attorney's Fees to Private Counsel* filed 12/15/2010.
- Law firm of Wild, Carter & Tipton was paid **\$612.50** on 8/15/2011 and **\$300.00** on 10/7/2011 for attorney fees regarding the premarital agreement for the Conservatee's marriage to Kathryn Washburn.

(1) Second Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney and (3) Dispensation of Further Accounts [Prob. C. 2620; 2623; 2628(b); 2942]

Age: 71		PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:																																																			
DOB: 3-19-41																																																						
		Account period: 10-26-10 through 10-26-12	1. Notice to the Conservatee's spouse may be required pursuant to Probate Code §1460(b)(3).																																																			
		Accounting: \$249,836.80																																																				
		Beginning POH: \$207,074.54																																																				
		Ending POH: \$1,389.32 (includes minimal cash, pre-need CD, minimal furniture)																																																				
		Conservator: \$1,153.76																																																				
		Attorney: \$1,250.00 (less than local rule)																																																				
		Attorney (Extraordinary): \$1,000.00 (for sale of Conservatee's residence)																																																				
		Bond fee: \$50 (ok)																																																				
		Petitioner requests that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed against the estate for any unpaid balance of the authorized fees and commissions.																																																				
		Petitioner states the conservatorship estate meets the requirements of Probate Code §2628 to dispense with further accountings.																																																				
		Petitioner prays for an order:																																																				
		1. Approving, allowing and settling the account as filed;																																																				
		2. Authorizing the Conservator's and Attorney's fees and commissions;																																																				
		3. Payment of the bond fee;																																																				
		4. Imposing a lien against the estate for any unpaid balance of the authorized fees and commissions;																																																				
		5. Dispensing further accounts; and																																																				
		6. Any other orders the Court deems proper.																																																				
<table border="1"> <tr><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>✓ Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>✓ Notice of Hrg</td><td></td></tr> <tr><td>✓ Aff.Mail</td><td>W</td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>✓ CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>		Aff.Sub.Wit.		✓ Verified		Inventory		PTC		Not.Cred.		✓ Notice of Hrg		✓ Aff.Mail	W	Aff.Pub.		Sp.Ntc.		Pers.Serv.		Conf. Screen		Letters		Duties/Supp		Objections		Video Receipt		✓ CI Report		9202		Order		Aff. Posting		Status Rpt		UCCJEA		Citation		FTB Notice			<table border="1"> <tr><td>Reviewed by: skc</td></tr> <tr><td>Reviewed on: 2-7-13</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 4 - Nutson</td></tr> </table>	Reviewed by: skc	Reviewed on: 2-7-13	Updates:	Recommendation:	File 4 - Nutson
Aff.Sub.Wit.																																																						
✓ Verified																																																						
Inventory																																																						
PTC																																																						
Not.Cred.																																																						
✓ Notice of Hrg																																																						
✓ Aff.Mail	W																																																					
Aff.Pub.																																																						
Sp.Ntc.																																																						
Pers.Serv.																																																						
Conf. Screen																																																						
Letters																																																						
Duties/Supp																																																						
Objections																																																						
Video Receipt																																																						
✓ CI Report																																																						
9202																																																						
Order																																																						
Aff. Posting																																																						
Status Rpt																																																						
UCCJEA																																																						
Citation																																																						
FTB Notice																																																						
Reviewed by: skc																																																						
Reviewed on: 2-7-13																																																						
Updates:																																																						
Recommendation:																																																						
File 4 - Nutson																																																						

(1) First and Final Account and Report of Status of Administration of Co-Executors and Petition for Settlement Thereof; (2) for Allowance of Statutory Attorney's Fees; (3) for Extraordinary Attorney's Fees; (4) for Reimbursement of Costs Advanced and (5) for Final Distribution [Prob. C. et seq., 10800, 10810, 10811, 10951, & 11600]

DOD: 7/3/2010			JENNIFER KENNEDY BRYSON and JAMES KENNEDY , Co-Executors, are petitioners.		NEEDS/PROBLEMS/COMMENTS: Continued from 1/24/13. Minute order states counsel directed to submit a declaration regarding his fees. – Second Declaration in Support of Request for Fees for Extraordinary Services filed on 1/29/13.
			Account period: 9/28/10 – 9/28/12		
Cont. from 012413					
	Aff.Sub.Wit.		Accounting -	\$154,632.31	
✓	Verified		Beginning POH-	\$148,313.19	
✓	Inventory		Ending POH -	\$ 80,775.46	
✓	PTC		Executors (statutory) -	\$4,781.64	
✓	Not.Cred.		Attorney (statutory) -	\$4,781.64	
✓	Notice of Hrg		Attorney x/o -	\$18,940.00	
✓	Aff.Mail	W/	(\$2,580 for unlawful detainer; \$6,200 for TRO & Prelim Injunction; \$960 for vehicle in possession of another; \$9,200 for sale of real property)		
	Aff.Pub.		Attorney Hrdlicka x/o -	\$3,100.00	
	Sp.Ntc.		(for unlawful detainer action w/trial)		
	Pers.Serv.		Attorney costs -	\$520.00	
	Conf. Screen		(filing fee, probate referee)		
✓	Letters		Closing reserve -	\$1,007.28	
	Duties/Supp		Distribution, pursuant to decedent's will, is to:		
	Objections		Jennifer Kennedy Bryson -	\$15,700.00	
	Video Receipt		James Kennedy -	\$15,700.00	
	CI Report		Jennifer Kennedy Bryson & James Kennedy, in Trust, for the benefit of Jon David Kennedy, II- \$10,500.00		
✓	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
✓	FTB Notice				
					Reviewed by: KT
					Reviewed on: 2/8/13
					Updates:
					Recommendation:
					File 5 - Kennedy

Atty Holding, Neil A. (for Richard W. Koontz – son/Petitioner)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 11/30/12			RICHARD W. KOONTZ , son/named Executor without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from			Full IAEA – OK	<p>Note: Status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 07/19/13 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal; and • Friday, 04/18/14 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
<input type="checkbox"/>	Aff.Sub.Wit.	s/p	Will dated 08/20/09	
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory		Residence: Fresno	
<input type="checkbox"/>	PTC		Publication: The Business Journal	
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg		Estimated Value of the Estate:	
<input checked="" type="checkbox"/>	Aff.Mail	w/	Personal property - \$523,319.00	
<input checked="" type="checkbox"/>	Aff.Pub.		Annual income - 2,300.00	
<input type="checkbox"/>	Sp.Ntc.		Real property - 100,000.00	
<input type="checkbox"/>	Pers.Serv.		Total - \$625,619.00	
<input type="checkbox"/>	Conf. Screen		Probate Referee: STEVEN DIEBERT	
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
				Reviewed by: JF
				Reviewed on: 02/08/13
				Updates:
				Recommendation: SUBMITTED
				File 7 - Koontz

DOD: 12/19/12		MANUEL ROJAS , brother, is Petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS: 1. The Petition states that the decedent had a predeceased spouse; however, no predeceased spouse is named in item 8 of the Petition. Need name and date of death of predeceased spouse pursuant to Local Rule 7.1.1D. 2. Need Duties & Liabilities and Supplement to Duties and Liabilities. Note: If Petition is granted, status hearings will be set as follows: • Friday, 07/19/13 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal; <u>and</u> • Friday, 04/18/14 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Cont. from		Full IAEA – OK	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	All heirs waive bond.	
<input type="checkbox"/>	Inventory	Decedent died intestate	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Residence: Fresno	
<input checked="" type="checkbox"/>	Notice of Hrg	Publication: The Business Journal	
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp	x	
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Atty Arroyo, Dolores (pro per – paternal grandmother/guardian)

Atty Arroyo, Roberto Sr. (pro per – paternal grandfather/guardian)

Atty Andrada, Leona Chantell (pro per – mother/Petitioner)

Petition for Visitation

Roberto, 14	LEONA CHANTELL ANDRADA, mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Jaden, 12	ROBERTO ARROYO, SR. and DOLORES ARROYO, paternal grandparents, were appointed co-guardians on 03/19/07 – Served by mail on 12/29/12	
Cont. from	Father: ROBERTO ARROYO, JR. – Personally served on 12/25/12	<div>Reviewed by: JF</div> <div>Reviewed on: 02/08/13</div> <div>Updates:</div> <div>Recommendation:</div> <div>File 9 - Arroyo</div>
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg	<p>Petitioner requests that a visitation plan be put in place so that she can visit with her sons on a regular basis. She states that the guardians are not always willing to let her visit. She states that both of her sons want to visit with her as much as wants to see them.</p> <p>Declaration of Dolores Arroyo filed 01/17/13 states that the parents are portraying themselves as victims. When they obtained guardianship the father was facing 10 years in prison. They also state that the father is a gang member. Ms. Arroyo states that the mother has willingly stayed away from the children and have never provided for them. Ms. Arroyo states that the mother's older son, Joe Manuel Delgado, prefers to live with them also even though they are not his guardians. Ms. Arroyo states that due to the father's visitation on the 1st, 3rd & 5th weekends of the month, she only has one weekend with them and is not willing to agree to a visitation plan. Ms. Arroyo states that both of the parents were fine with them taking care of the children before the father had to pay child support and the mother is angry that her eldest son wants to live with them and she might lose the aid that she receives for him. Attached to Ms. Arroyo's declaration is a letter from Joe Manuel Delgado that states he wants to be emancipated from his mother. He states that his mother has never been there for him and is always running the streets with her friends and boyfriend. He states that his step-grandma (Guardian, Dolores Arroyo) has provided for him. He states that his mother has always put him last and receives cash aid and foodstamps for him but does not buy him anything.</p>	
✓ Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	x	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Atty Tucker, Patrick E. (pro per Petitioner/Guardian)

Petition for Termination of Guardianship

Albert age: 16		PATRICK TUCKER , Guardian, is petitioner. PATRICK TUCKER and TIFFANY RIVERA , non-relatives, were appointed co-guardians on 7/30/2010. Father (Albert): ALBERT ESCALON, Sr. Father (Richard): UNKNOWN Mother: MELISSA MOORE (deceased) Paternal grandparents: unknown Maternal grandfather: Edwin Moore Maternal grandmother: Debra Moore Petitioner states he is requesting the guardianship be terminated because the minors are out of control. They have been suspended from school on numerous occasions, are violent, have destroyed the home, have been caught drinking and refuse to obey any rules. Court Investigator Jennifer Daniel's Report filed on 2/6/13.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Albert Escalon, Jr. (minor) b. Richard Moore (minor) c. Tiffany Rivera (co-guardian) d. Albert Escalon, Sr. (father) e. Debra Moore (maternal grandmother) f. Edwin Moore (maternal grandfather)	
Richard age: 14				
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: KT Reviewed on: 2/8/13 Updates: Recommendation: File 10 – Escalon & Moore		

Atty Smith, Deborah (pro per Guardian/maternal grandmother)

Atty Macklin, Lloyd C. (pro per Petitioner/father)

Atty Macklin, Deborah (pro per Petitioner/mother)

Petition for Termination of Guardianship

Lloyd, 4	LLOYD MACKLIN and DEBORRAH MACKLIN, parents, are Petitioners.		NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of <i>Notice of Hearing</i> for: a. Lloyd Macklin (paternal grandfather) b. Joyce Frierson (paternal grandmother) c. Ronnie Green (maternal grandfather)
Kayveon, 3	DEBORRAH SMITH, maternal grandmother, was appointed guardian on 02/01/12.		
	Paternal grandfather: Lloyd Macklin Paternal grandmother: Joyce Frierson		
	Maternal grandfather: Ronnie Green		
Cont. from 011713			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	X		
Aff.Mail	X		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: KT
			Reviewed on: 2/11/13
			Updates:
			Recommendation:
			File 11 - Macklin

Age: 3		JAMES CRUZ, father, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:	
		CHRISTINA CABRERA BARBOSA,		1. Proof of service re personal service on the guardian, Christina Barbosa, does not state the address where she was served. Need amended proof of service stating address/location where Ms. Barbosa was served.	
		maternal grandmother, was appointed guardian on 11/08/11 – Personally served on 01/31/13.			
Cont. from		Mother: CHRISTINA PADILLA			
	Aff.Sub.Wit.		Petitioner requests visitation twice per week at the convenience of the guardian.		
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
	Aff.Mail	X			
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.				
	Conf. Screen				
	Letters				
	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
	Order	X			
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 02/08/13	
				Updates:	
				Recommendation:	
				File 12 - Cruz	

(1) Petition for Settlement of First and Final Account, for (2) Final Distribution, and
(3) Fixing and Allowing Compensation

DOD: 10/23/2011		ANNA F. WILLIAMS , Executor, is petitioner.		NEEDS/PROBLEMS/COMMENTS:	
		Accounting is waived.			
Cont. from		I & A - \$280,765.25		<ol style="list-style-type: none"> The inventory and appraisal is incomplete. <ul style="list-style-type: none"> #3 was not answered re: whether or not the property listed is all or a portion of the property that has come into the Executor's knowledge or possession. #4 probate referee #5 – the property tax certificate Verification was not dated. Petition does not contain a statement regarding Probate Code §216 and 9202(b) re: notice to the Director of Victims Compensation and Government Claims Board. Petition does not contain a statement regarding if notice to the Franchise Tax Board was performed, as required by Probate Code 9202(c)(1). Petition requests the property be distributed to each beneficiary in Joint Tenancy. Each beneficiary is entitled to an undivided interest. Therefore, the property should be distributed as Tenants in Common. Proof of service of the Notice of Hearing shows that it was served by Anna F. Williams. Ms. Williams is a party to the action therefore cannot serve the notice. Order does not comply with Local Rule 7.6C. All order distributing property must contain a statement as to the balance of the estate on hand, specifically noting the amount of cash in the balance. 	
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$280,765.25			
<input checked="" type="checkbox"/>	Verified	Executor - waives			
<input checked="" type="checkbox"/>	Inventory	Closing reserve- \$2,000.00			
<input type="checkbox"/>	PTC				
<input checked="" type="checkbox"/>	Not.Cred.				
<input checked="" type="checkbox"/>	Notice of Hrg	Distribution, pursuant to Decedent's Will, is to:			
<input checked="" type="checkbox"/>	Aff.Mail	w/o	Anna F. Williams - \$16,635.62		
<input type="checkbox"/>	Aff.Pub.		and ½ interest in household furniture and furnishings and real property located in Fresno County.		
<input type="checkbox"/>	Sp.Ntc.				
<input type="checkbox"/>	Pers.Serv.				
<input type="checkbox"/>	Conf. Screen		Sula Zaninovich - \$16,635.62		
<input checked="" type="checkbox"/>	Letters	4/16/12	and ½ interest in household furniture and furnishings and real property located in Fresno County.		
<input type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
<input type="checkbox"/>	CI Report				
<input type="checkbox"/>	9202		X		
<input checked="" type="checkbox"/>	Order				
<input type="checkbox"/>	Aff. Posting				
<input type="checkbox"/>	Status Rpt				
<input type="checkbox"/>	UCCJEA				
<input type="checkbox"/>	Citation				
<input type="checkbox"/>	FTB Notice		X		
				Reviewed by: KT	
				Reviewed on: 2/11/13	
				Updates:	
				Recommendation:	
				File 13 - Turner	

Pro Per Rodriguez, Maria Luisa (Pro Per Petitioner, maternal great aunt)

Pro Per Rodriguez, Aciano Chano (Pro Per Petitioner, maternal great uncle)

Petition for Appointment of Guardian of the Estate (Prob. C. 1510)

Age: 5 months		NO TEMPORARY REQUESTED		NEEDS/PROBLEMS/COMMENTS:	
				<u>Continued from 1/17/2013.</u>	
		MARIA LUISA RODRIGUEZ and ACIANO CHANO RODRIGUEZ, JR., maternal great aunt and uncle, are Petitioners.		The following issue stems from the CI Report filed 2/4/2013:	
Cont. from 011713					
	Aff.Sub.W				
✓	Verified	Father: MATEO GUERRERO ; personally served 11/23/2012.		1. Petitioner indicated to the Court Investigator that the child's biological maternal great-grandmother was of Indian decent, but she does not know of what Indian decent. Petitioner must complete the <i>Notice of Child Custody Proceeding for Indian Child</i> (Form ICWA-030) which has been placed in the case file for completion and return by the Petitioner to the Probate Clerk for service by the Court via certified or registered U.S. Mail to the child's parents; any Indian custodian; any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs, and the U.S. Secretary of the Interior. Continuance of this matter will be required for at least 60 days from the service of the ICWA-030 form notice.	
	Inventory	Mother: SUSANHA AYALA ; personally served 11/28/2012.			
	PTC				
	ICWA Ntc	X			
✓	Notice of Hrg	Paternal grandfather: Regino Guerrero; Mexico; Declaration of Due Diligence filed 1/2/2013.			
	Aff.Mail				
	Aff.Pub.	Paternal grandmother: Name unknown; Mexico; Declaration of Due Diligence filed 1/2/2013.			
	Sp.Ntc.				
✓	Pers.Serv.	W /O			
✓	Conf. Screen	Maternal grandfather: Jose L. Ayala; personally served 11/28/2012.			
	Letters	Maternal grandmother: Maria C. Ayala; personally served 11/28/2012.			
✓	Duties/S			The following issues remain from the last hearing:	
	Objection			2. Need <i>Duties of Guardian</i> signed by Co-Petitioner, Aciano Chano Rodriguez. (Note: A blank copy of the <i>Duties of Guardian</i> form has been placed in the case file for use by the Petitioners.)	
	Video Receipt			3. <i>Proof of Personal Service</i> filed 1/2/2013 does not show a copy of the petition was served with notice to the parents.	
✓	CI Report	Petitioner states the mother has violated her probation and admits that she and the baby's father use drugs, and both parents agree to the Petitioners having custody of the child.			
✓	Clearancs				
	Order				
	Aff. Post			Reviewed by: LEG	
	Status Rpt			Reviewed on: 2/7/13	
✓	UCCJEA			Updates:	
	Citation			Recommendation:	
	FTB Notice			File 14 - Guerrero	
		Court Investigator Julie Negrete's Report was filed on 2/4/2013.			

15 Lucia Cendejas (CONS/P)
Atty Cendejas, Martha (pro per Petitioner/mother)
Atty Cendejas, Ana L (pro per Petitioner/sister)

Case No. 13CEPR00025

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 33 years		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>MARTHA CENDEJAS, mother, and ANA CENDEJAS, sister, are petitioners and request appointment as co-conservators of the person with medical consent powers.</p> <p>Declaration of Juan Carlos Ruvalcaba, M.D. 12/20/12 supports request for medical consent powers.</p> <p>Voting Rights Affected.</p> <p>Petitioners state the proposed conservatee has brain damage which has led her to be in a wheelchair for years. She is unable to speak clearly, thus she is unable to communicate with others. Proposed conservatee needs assistance with all aspects of daily living.</p> <p>Court Investigator Jennifer Young's Report filed on 2/6/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 1/24/13.</p> <p>Voting rights affected need Minute Order.</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input checked="" type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input checked="" type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 2/11/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 - Cendejas</p>		

Age: 12 years		<u>GENERAL HEARING 4/4/2013</u>		NEEDS/PROBLEMS/COMMENTS:	
		MARGO ZWIGLE and JOHN ZWIGLE , maternal aunt and uncle, are petitioners.		1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for: a. Roy Constancio(father)	
Cont. from		Father: ROY CONSTANCIO			
	Aff.Sub.Wit.	Mother: MICHELE LEE SHEPARD – consents and waives notice.			
✓	Verified	Paternal grandparents: Unknown			
	Inventory	Maternal grandfather: Leroy Spettstoesser – mailed notice on 2/4/13			
	PTC	Maternal grandmother: Ann Shepard – mailed notice on 2/4/13.			
	Not.Cred.	Minor: Rayne Shepard – consents and waives notice.			
✓	Notice of Hrg	Petitioners state: the child has lived with Petitioners for more than one year.			
✓	Aff.Mail	They are concerned that if the mother is served she will remove the child from their home. The child is doing very well and to take her from the home would be detrimental.			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	X			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 2/11/13	
				Updates:	
				Recommendation:	
				File 16 - Shepard	

Age: 1 DOB: 08/17/11		TEMPORARY GRANTED EX PARTE: EXPIRES 02/14/13 GENERAL HEARING 04/08/13	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing . 2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Father (unknown) - Jacqueline Ray (mother)	
Cont. from		BETTY DEANDA-OZCOIDI , maternal great grandmother, is Petitioner. Father: UNKNOWN Mother: JACQUELINE RAY Paternal grandparents: UNKNOWN Maternal grandfather: WILLIAM RAY – deceased Maternal grandmother: DIETRA RAY Petitioner alleges that William's mother is addicted to meth and his father is unknown. Petitioner states that William's mother also has stolen from her and is currently being investigated by the District Attorney. Petitioner further states that the mother has come to her house while clearly intoxicated and tried to take William from Petitioner. Petitioner states that the mother's older child was removed from her care by CPS and that the mother is not cooperating with CPS services. Further, Petitioner states that William requires immediate health care and temporary guardianship is necessary to keep him in her care and to seek medical care for him.		
Aff.Sub.Wit.				
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			x
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			x
✓	Conf. Screen			
	Letters			x
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order	x		
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: JF Reviewed on: 02/11/13 Updates: Recommendation: File 17 - Ray	